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additional servitude on the streets so as to entitle abutting owners to additional compensation for the use of the streets. Three of the judges, Chief Justice Hadley, Justices Gillett and Monks, were of the opinion that the operation of the cars did not constitute an additional servitude, while two judges, Justices Jordan and Montgomery, held the contrary.

Correction of Birth Record.—The decision of Judge Dill of the New Jersey Court of Errors and Appeals in *Vanderbilt v. Mitchell*, 67 Atlantic Reporter, 97, serves admirably to illustrate that the powers of a court of equity are adequate to meet the demands made thereon by constantly changing social conditions. In this case it appears that a birth certificate was made by the physician present at the birth of a child. This certificate set forth, among other things, the time, the date and place of the birth of the child, the name of each of the parents, the maiden name of the mother, and the name of the child. It appears that in making the certificate the physician was imposed upon by false statements of the mother as to the paternity of the child, and certified, contrary to the fact, that complainant in this suit was the father of the child. Judge Dill holds that the court has power to correct the record.

Leadership of Zion City Colony.—The United States Circuit Court for the Northern District of Illinois in *Holmes v. Dowie*, 148 Federal Reporter, 634, passes on the question of leadership of the organization founded by Dowie by saying that, as a general rule, the court will recognize the action of a religious society in this respect, but inasmuch as the organization has no regulation providing how a leader shall be selected, it seems fair that the majority rule shall prevail. An election was therefore ordered, at which all male and female members of the organization over twenty-one years of age were granted the right to vote.

Right of Personal Privacy.—Thomas A. Edison, the noted inventor, is, in *Edison v. Edison Polyform Manufacturing Company*, 67 Atlantic Reporter, 392, granted an injunction by the New Jersey Court of Chancery to prevent the unauthorized use of his name by another as a part of its corporate title, or, in connection with its business or advertisements, his pictures and his pretended certificate indorsing a remedy which such other is engaged in manufacturing, compounded according to a formula devised by Mr. Edison, though he is not a business competitor. See article in 12 Va. Law Reg. p. 91.

Goats as Fixtures.—To lawyers in common-law states the decision of the United States Circuit Court for the Eastern District of Louisiana, in *Morton Trust Company v. American Salt Company*, 149

Federal Reporter, 540, appears to be rather novel. It is there held that goats placed on land for the sole purpose of destroying brush and weeds thereon and keeping down the grass are fixtures. This decision is, of course, based on the civil law, and in the opinion the court notes that in France it has been held that cows attached to dairy farms are fixtures or immovables.

Testamentary Capacity of Spiritualist.—The Michigan Supreme Court in *O'Dell v. Goff*, 112 Northwestern Reporter, 736, holds that mere belief in spiritualism is not evidence of insanity, but, on the other hand, one who thinks so persistently on the subject as to become a monomaniac, incapable of reasoning, does not possess testamentary capacity; and, where a believer in spiritualism has such confidence in spiritualistic communications through mediums or otherwise that he is compelled to follow them blindly, his free agency is destroyed, and a will made under such circumstances cannot be admitted to probate, whether such conclusion be based on incapacity or undue influence. See note to *Wallen v. Wallen*, 13 Va. Law Reg. 539.

Animals—Injury to Dog—Actions.—The right of the owner of a dog to maintain an action against one who wantonly and maliciously kills or injures it is sustained in *Columbus Railroad Co. v. Woolfolk* (Ga.), 10 L. R. A. (N. S.) 1136.

Arrest—Necessity for Warrant.—A police officer is held, in *Klein v. Pollard* (Mich.) 10 L. R. A. (N. S.) 1008, to have no authority to arrest without warrant a woman who is walking quietly along the street after emerging from a disorderly saloon at midnight. See *Muscoe v. Com.*, 86 Va. 443.

Automobiles—Regulation—Class Legislation.—A law regulating the use of automobiles alone, of all the vehicles which use the highway, is held, in *State v. Swagerty* (Mo.) 10 L. R. A. (N. S.) 601, not to be invalid special legislation.

Automobiles—Frightening Horses—Liability.—One stopping an automobile in front of a corner store is held, in *House v. Cramer* (Iowa) 10 L. R. A. (N. S.) 655, not to be liable for the running away of a team hitched near the corner on a side street, although he permitted the explosions to continue after the machine stopped, if, after he saw that the team was frightened, he could not have stopped the noise in time to obviate the escape of the team.

Insolvent Banks—Constructive Trusts.—Money received by an insolvent banker for the purchase of a draft which he knows to be